

**AMENDMENTS TO THE CLAIMS:**

This listing of the claims will replace all prior versions, and listings, of the claims in this application:

**Listing of Claims:**

1. (CURRENTLY AMENDED) A method ~~for ensuring the adequacy of transmission capacity in a digital packet-switched cellular network,~~  
~~where both voice sample packets and associated header fields are transmitted in real time in one and the same transmission channel,~~  
~~in which method, comprising:~~

if a terminal of a packet-switched cellular network estimates that a combined bit count in the of a voice sample of a packet and a in the header field of a voice packet exceeds an is estimated to exceed the available transmission capacity of a the transmission channel allocated to the terminal, then, the terminal reduces a number of bits in the voice sample is-reduced or steals at least one whole voice block; is-stolen and the saved number of bits is used

the terminal uses the reduced voice sample bits for transmitting the header field data of the same packet, wherein the voice sample and the header field are transmitted in real time in the transmission channel.

2. (ORIGINAL) The method according to claim 1 wherein the reduction of the number of bits in the voice sample is performed only for packets transmitted at the beginning of a speech spurt.

3. (CURRENTLY AMENDED) The method according to claim 2 wherein a voice sample replacement is performed when no more than 500 ms have passed from a the first voice activity detection (VAD) included in the same speech spurt.

4. (CURRENTLY AMENDED) The method according to claim 1 wherein the reduction of the number of bits in the voice sample is performed by replacing the contents of a the voice packet with a NO\_DATA block.

5. (CURRENTLY AMENDED) A terminal ~~in a digital packet-switched cellular network which comprises comprising:~~

a means for reducing ~~a the~~ number of bits in a voice sample included in a packet to be transmitted and

a means for using said ~~saved~~ reduced bits of the voice sample for transmitting header field data of the same packet in a digital packet-switched cellular network.

6. (CURRENTLY AMENDED) The terminal according to claim 5 wherein the means for reducing the number of bits in the a voice sample included in the a packet to be transmitted and means for using said saved bits for transmitting header field data of the same packet comprise:

[-] a voice coder for converting ~~a the~~ voice sample into a bit combination and for producing a voice activity detection (VAD) indication,

[-] a bit rate and frame count calculation block for calculating the combined bit count for bits in the bit combination transmitted in a the packet and bits in the header field after ~~a the voice~~ activity detection (VAD) indication,

[-] a frame stealing decision block for making a frame stealing decision based on the calculation result from the bit rate and frame count calculation block, and

[-] a real time protocol (RTP) block generation and frame stealing block for replacing in a the packet to be transmitted, subsequent to the frame stealing decision, bits in the bit combination produced from the voice sample.

7. (CURRENTLY AMENDED) The terminal according to claim 5 which comprises a means for reducing the number of bits in ~~a the~~ voice sample only for packets transmitted at the beginning of a speech spurt.

8. (CURRENTLY AMENDED) The terminal according to claim 7 wherein the means for reducing ~~a the~~ number of bits in the a voice sample are arranged so as to perform a replacement when no more than 500 ms have passed from ~~a the~~ first voice activity detection (VAD) included in the same speech spurt.

9. (CURRENTLY AMENDED) The terminal according to claim 5 wherein the means for reducing the number of bits in ~~a the~~ voice sample, ~~the a~~ bit rate and frame count calculation block is ~~arranged~~ configured so as to replace the contents of the voice packet with a NO\_DATA block.

10. (CANCELED).

11. (CANCELED).

12. (NEW) A computer-readable medium comprising computer readable code for implementing

the steps of claim 1 when installed in the terminal of the packet-switched cellular network.

13. (NEW) A computer-readable medium comprising computer readable code for implementing the steps of claim 2 when installed in the terminal of the packet-switched cellular network.

14. (NEW) A computer-readable medium comprising computer readable code for implementing the steps of claim 3 when installed in the terminal of the packet-switched cellular network.

15. (NEW) A computer-readable medium comprising computer readable code for implementing the steps of claim 4 when installed in the terminal of the packet-switched cellular network.

16. (NEW) A terminal comprising:

a controller for processing an algorithm for reducing a number of bits in a voice sample included in a packet to be transmitted and using the reduced bits of the voice sample for transmitting header field data in the packet, the terminal configured to transmit the packet in a digital packet-switched cellular network.

17. (NEW) The terminal of claim 16, further comprising a memory for storing and retrieving the algorithm.

18. (NEW) The terminal of claim 17, the controller comprising a voice coder for converting the voice sample into a bit combination and for producing a voice activity detection (VAD) indication; a bit rate and frame count calculation block for calculating the combined bit count for bits in the header field after the VAD indication; a frame stealing decision block for making a frame stealing decision based on the calculation result from the bit rate and frame count calculation block; and a real time protocol (RTP) block generation and frame stealing block for replacing in the packet to be transmitted, subsequent to the frame stealing decision, bits in the bit combination produced from the voice sample.

19. (NEW) The terminal of claim 18, the controller arranged to reduce the number of bits in the voice sample only for packets transmitted at the beginning of a speech spurt.

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20. (NEW) The terminal of claim 19, further comprising a user interface for entering data that is provided to the controller and a transmitter through which the packets are transmitted.